



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Box
See

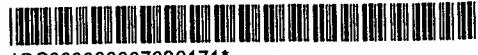
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/770,916 | 01/26/2001 | Dara W. Frank | 650053.91487 |

Jean C. Baker
Quarles and Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497



CONFIRMATION NO. 6613

FORMALITIES LETTER



OC000000007090171

Date Mailed: 11/19/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

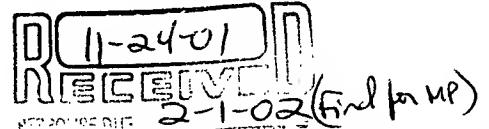
The U.S. Patent and Trademark Office has received your reply on 10/01/2001 to the Notice to File Missing Parts (Notice) mailed 08/01/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 15 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$12.
 - \$12 for 6 independent claims over 3 .
- **The balance due by applicant is \$ 27.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.





For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Alina D.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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WASHINGTON, D.C. 20231
www.uspto.gov



Attachment to Notice of Incomplete Reply

This is in response to Applicant's remarks regarding sequence rule compliance in the instant application. An application that contains generic techniques to determine DNA sequence information such as DNA molecule length or nucleotide composition, without disclosing specific sequences, would not have to comply with the sequence rules. The instant application, however, also discloses specific sequences. The facts that no sequences are claimed and any specific sequence mentioned would be used solely for illustrative purposes and not represent a novel sequence disclosure are immaterial. Any sequence that is disclosed must be submitted in accordance with 37 CFR 1.821-825. That is the meaning of the "exclusively" language.

Sequences were found at page(s) _____, and/or Figure 6A-7

03C0/11

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Signature and Deposit: October 31, 2001

Dec 5 2001

Jean C. Baker

Jean C. Baker, 35,433



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: FRANK, Dara W., et al.

Date: December 5, 2001

Serial No.: 09/770,916

Group Art Unit: 1645

Filed: January 26, 2001

Examiner:

Title: METHOD OF AND COMPOSITIONS
FOR IMMUNIZATION WITH THE
PSEUDOMONAS V ANTIGEN

File No. 650053.91487

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner For Patents
Attention: Box Missing Parts
Washington DC 20231

Dear Sir:

In response to a Notice of Incomplete Reply mailed on November 19, 2001 in the above-identified case, please amend the application by inserting the enclosed paper copy of the sequence listing into the application after the section of "Abstract of the Disclosure."

REMARKS

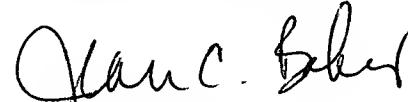
In the Notice of Incomplete Reply, the Applicants are informed that a balance of \$27.00 is due for the basic filing fee and additional claim fee. The Applicants are also requested to file a sequence listing in paper copy and computer readable form in compliance with 37 C.F.R. §§ 1.821-1.825. The period of reply remains as set forth in the Notice to File Missing Parts mailed on August 1, 2001.

The Applicants have enclosed a paper copy and a computer readable form of the sequence listing. A statement as required by 37 C.F.R. §§ 1.821(f) and 1.821(g) is also enclosed.

A petition for a three-month extension of time accompanies this response so that the response will be deemed to have been timely filed. If any other extension of time is required in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the petition fee to the Deposit Account No. 17-0055.

Please charge the balance of \$27.00 due for the basic filing fee and additional claim fee to the Deposit Account No. 17-0055. No other fee is believed to be due in connection with this response. However, if any fee is due in this or any subsequent response, please charge the fee to the same Deposit Account No. 17-0055.

Respectfully submitted,

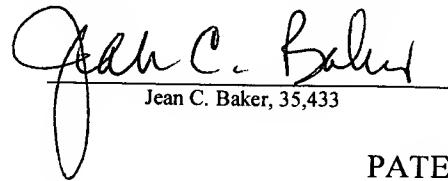


Jean C. Baker
Jean C. Baker
Reg. No. 35,433
Attorney for Applicants
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
Phone: (414) 277-5709

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Dec 5, 2001


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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: FRANK, Dara W., et al.

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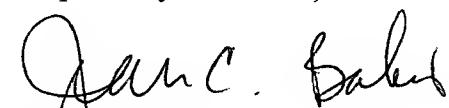
STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and 1.821(g)

Commissioner For Patents
Attention: Box Missing Parts
Washington DC 20231

Dear Sir:

The content of the attached Sequence Listing for the above-identified application, containing SEQ ID NOs: 1 - 4, and the content of the enclosed diskette, labeled Frank et al., are believed to be the same. No new matter has been added.

Respectfully submitted,



Jean C. Baker

Reg. No. 35,433
Attorney for Applicants
QUARLES & BRADY LLP
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Phone: (414) 277-5709

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fee Transmittal for FY 2002

Patent fees are subject to annual revision.

JAN 08 2002

TOTAL AMOUNT OF PAYMENT

(\$ 487.00)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/770,916 |
| Filing Date | January 26, 2001 |
| First Named Inventor | Dara W. Frank |
| Examiner Name | |
| Group Art Unit | 1645 |
| Attorney Docket No. | 650053.91487 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
17-0055

Deposit Account Name
Quarles & Brady LLP

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740 | 201 370 | Utility filing fee | |
| 106 330 | 206 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | -20** = | X | = 0.00 |
| | | | -3** = | X | = 0.00 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 84 | 202 42 | Independent claims in excess of 3 |
| 104 280 | 204 140 | Multiple dependent claim, if not paid |
| 109 84 | 209 42 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

or number previously paid, if greater; For Reissues, see above

MITTED BY

(Print/Type)

Jean C. Baker

| | |
|-----------------------------------|--------------------------|
| *Reduced by Basic Filing Fee Paid | Complete (if applicable) |
| | SUBTOTAL (3) (\$ 487.00) |
| Registration No. (Attorney/Agent) | 35,433 |
| Telephone | 414-277-5709 |
| Date | December 5, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Your Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the complexity of the statement.

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